IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 12922 of 2004

Between:

V. Naveen Kumar, S/o. V.Y. Giri,
R/o. 12-12-196, Firsst Floor, Shanti Nivas, Ravindranagar, Seethaphalmandi,
Secunderabad - 500 061.

..... PETITIONER

AND

1 The Director of Medical Education, Government of Andhra Pradesh,
Hyderabad.
2 The Superintendent, Gandhi Hospital,
Musheerabad, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the Respondents and issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus and declare the action of the Respondents in not appointing the petitioner to the post of Typist-cum-Clerk or to any suitable post on par with the other similarly situated persons in I.D.Nos. 528/1993, 536/1993, 554/1993 and batch as illegal, arbitrary, contrary to law in violation of orders passed in W.P.No. 13275/1997 Dated 30-06-1997, violative of principles of natural justice and also in violation of Articles 14 and 21 of the Constitution of India

Counsel for the Petitioner: MR.P.SRIDHAR RAO

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court at the admission stage made the following :

THE HON'BLE Dr. JUSTICE G. YETHIRAJULU

WRIT PETITION No. 12922 of 2004

ORAL ORDER:

The petitioner, who is an unemployee, alleged that during the N.G.Os strike period, he worked as a Typist-cum-Clerk in the respondents Hospital on daily wages for ten or fifteen days with effect from 05.11.1986. After the strike period, the petitioner's services were terminated. Thereafter, the Government issued G.O.Ms.No. 69, dated 18-02-1987 directing that preference may be given in the matter of employment to those persons who were appointed on adhoc basis on daily wages during the strike period and whose services were terminated consequent to calling off of the strike by N.G.Os all other things being equal. There was also a further direction that preference may be given to such persons for appointment in public sector undertakings in the State of Andhra Pradesh.

The petitioner contends that some of the persons, who were employed during the strike period, including the petitioner, approached the Industrial Tribunal, Hyderabad by way of filing I.D.No.536 of 1993. The Tribunal, while disposing of the above I.D. directed the 2nd respondent to give preference to the petitioner in appointments by following the guidelines given by the Government in G.O. Ms.No.69, dated 18-02-1987. The petitioner further contends that he made several representations to the respondents to consider his case and no orders were passed by the respondents on his representations. Therefore, he approached this Court through this writ petition seeking a direction to the respondents to consider his

representations and to appoint him in the post of Typist-cum-Clerk or to any suitable post on par with the other similarly placed persons, who worked during the period of strike.

Earlier, the petitioner filed another W.P.NO. 13275 of 1997, and the same was disposed of by this Court on 13-06-1997, directing the 2nd respondent to consider the case of the petitioner as directed by the Industrial Tribunal, when the 2nd respondent proceed to fill up the posts.

In the light of the above circumstances, the respondents are directed to pass appropriate orders on the representations of the petitioner dated 14.09.1988, 25.10.1995, 08.08.1994 and 16.07.1997 and other such representations pending with the respondents within a period of two months from the date of receipt of a copy of this order.

With the above said direction, the writ petition is disposed of. No order as to costs.

Dr. G. YETHIRAJULYU,J,

Dt. 27th July, 2004.

Bud/usd

To

1. The Director of Medical Education,
   Government of Andhra Pradesh,
   Hyderabad
2. The Superintendent,
   Gandhi Hospital,
   Musheerabad, Hyderabad.

3. Two CCs to the Government Pleader for

Medical Health & Family Welfare, High Court Buildings,

High Court of Andhra Pradesh, Hyderabad (O.U.T.)

4. Two CD Copies.